

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-16 were pending in this application. In this Amendment, Applicant has amended claims 1, 4 and 9-16. The Specification supports all amendments, for example, at least at the following locations: Fig. 2; p. 3:7-22; p. 6:18-26; p. 7:5-21; and p. 8:4 to p. 9:32. Applicant believes none of the amendments in this paper are necessary to overcome the cited art and objections. Nevertheless, in an effort to advance prosecution, Applicant amends the claims as shown above. Accordingly, claims 1-16 will be pending upon entry of this Amendment.

In the Office Action mailed September 3, 2008, the Examiner objected to claims 4 and 14 because, according to the Examiner, the claim language used (i.e., "is more restrictive") "renders the claim indefinite and parallels subjective opinionating." OA at 2. The Examiner also rejected claims 1-16 under 35 U.S.C. § 102(e) as being anticipated by Bandini et al., Int'l Pub. No. WO 03/001,326 ("Bandini"). OA at 3.

Regarding the objection to claims 4 and 14, the claims have been amended. For example, claim 4 now requires: "A method as claimed in claim 1, wherein said default mail policy ~~is more restrictive~~ is triggered by more criteria than said sender-specific mail policy." Applicant submits that the new claim language of "*is triggered by more criteria*" is definite and places claim 4 in condition for allowance. Claim 14 requires similar claim language and is allowable for the same reason.

Regarding the § 102(e) rejection, Applicant respectfully traverses the rejection of claims 1-16 under 35 U.S.C. § 102(e) as being anticipated by Bandini. In order to properly establish that Bandini anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Bandini describes (i) receiving an email from a user—**trusting** that the user is who he says he is—(ii) applying a policy **and then** (iii) encrypting and optionally signing it for onward transmission. Specifically, Bandini teaches first that the "[p]olicy engine 214 **accepts** messages from SMTP relay module 202 **and determines which policies are applicable** to a message by building a list 302 of sender policies for the sender (source) 204 of the message...." Bandini at 9:11-13. Bandini then mentions that one such policy may require that messages include a signature. Bandini at 12:8-13. For example, Bandini teaches that one such "**policy action dictates** that a digital signature should be detected and verified...." Bandini at 19:19-20. That is, Bandini teaches applying a security policy before it "verifies electronic signatures." Bandini at 19:21-23. Bandini is very explicit in its teaching that the policy is applied before the verification step:

"Once the signature policy is applied to the received e-mail message, the security manager proceeds to verify the signature in accordance with the policy." Bandini at 20:8-10.

“the security manager 226 executes a signature verification policy that verifies electronic signatures in received e-mail messages.”
Bandini at 19:21-23.

“the security manager 226 applies a policy to determine whether the e-mail message is such that the signature should be verified.”
Bandini at 20:2-3.

Even the embodiment where “security manager 226 *automatically* initiates the signature verification process in response to detecting a signature,” the security policy is applied first. Bandini at 20:3-6. Here, the “security manager 226 applies a security policy for the signature” where the “security policy preferably specifies the level of verification that is required.” Bandini at 20:6-8.

In Bandini, therefore, the verification step **follows and depends upon** the policy because “[p]olicy engine 214 accepts messages” and dutifully applies policies, such a “policy action [that] dictates that a digital signature should be detected and verified.” Bandini at 9:11-13 and 19:19-20. By trusting that the user is who he says he is, Bandini fails to teach a manner of curing the problem that a user can easily forge the “From” field in SMTP to be that of another person. See, Spec. at 3:7-22.

In contrast, Applicant recites in claim 1 a combination including, for example, the requirement that:

“**if** the mail message does contain a **verified digital signature**, **and if** a user corresponding to the verified digital signature **corresponds to** the sender indicated in the mail message, **applying** an **associated** sender-specific mail **policy** to said mail message”

Simply put, Bandini does not teach “applying an **associated** sender-specific mail **policy** to said mail message” *after* determining that “the mail message does contain a **verified** digital signature” *and* “a user corresponding to the verified digital signature **corresponds to** the sender indicated in the mail message,” as required by claim 1. Therefore, Bandini fails to anticipate at least claim 1.

Further in contrast to Bandini, Applicant recites in claim 10 a combination including, for example, the requirement that:

if the outgoing mail message does contain a **verified digital signature, and if** a user corresponding to the verified digital signature **corresponds to** the sender indicated in the outgoing mail message, **said mail server applies** an **associated** sender-specific mail **policy** to said outgoing mail message

In claim 16, Applicant recites a combination including, for example, the requirement that:

if the outgoing mail message does contain a **verified digital signature, and if** a user corresponding to the verified digital signature corresponds to the sender indicated in the outgoing mail message, **said computer program product causes said mail server to apply** an **associated** sender-specific mail **policy** to said outgoing mail message

Bandini fails to teach at least these requirements of claims 10 and 16 for the same reasons explained regarding claim 1. Each of independent claims 1, 8, 10 and 16 overcomes Bandini for at least the reasons described above. In addition, dependent claims 2-7, 9 and 11-15 also overcome Bandini for at least the reasons detailed above. Claims 1-16, therefore, are not anticipated by Bandini and Applicant respectfully requests allowance of all pending claims.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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